

EXHIBIT 1

INTRODUCTION

Respondent Eric Perrodin was a candidate for Mayor of the City of Compton in the primary election held on April 17, 2001, and in the run-off election held on June 5, 2001. Respondent Committee to Elect Eric Perrodin (the “Committee”) was his controlled committee. Respondent Thomas Barclay was the treasurer of Respondent Committee.

Under the provisions of the Political Reform Act (the “Act”),¹ Respondents were required to file pre-election campaign statements prior to both the primary and the run-off elections, late contribution reports, disclosing any contributions of \$1,000 or more received during the late contribution period, and semi-annual campaign statements, disclosing information regarding contributions received and expenditures made by Respondent Committee.

Respondents failed to file a pre-election campaign statement prior to the run-off election, a late contribution report, and they failed to timely file a semi-annual campaign statement due shortly after the election, as required by the Act.

For the purposes of this Stipulation, Respondents’ violations of the Act are stated as follows:

COUNT 1: Respondents Eric J. Perrodin, Committee to Elect Eric Perrodin and Thomas Barclay failed to file a pre-election campaign statement prior to the run-off election, covering the reporting period April 1, 2001 through May 19, 2001, in violation of Government Code sections 84200.5, subdivision (c) and 84200.8, subdivision (c).

COUNT 2: Respondents Eric J. Perrodin, Committee to Elect Eric Perrodin and Thomas Barclay failed to file a late contribution report disclosing a \$3,500 late contribution from Death Row Records received on May 30, 2001, in violation of Government Code section 84203.

¹ The Political Reform Act is contained in Government Code sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in sections 18109 through 18997 of title 2, California Code of Regulations. All regulatory references are to title 2, division 6, of the California Code of Regulations, unless otherwise indicated.

COUNT 3: Respondents Eric J. Perrodin, Committee to Elect Eric Perrodin and Thomas Barclay failed to timely file a semi-annual campaign statement, covering the reporting period May 20, 2001 through June 30, 2001, no later than July 31, 2001, in violation of Government Code section 84200, subdivision (a).

SUMMARY OF THE LAW

An express purpose of the Act, as set forth in section 81002, subdivision (a), is to ensure that the contributions and expenditures affecting election campaigns are fully and truthfully disclosed to the public, so that voters may be better informed, and improper practices may be inhibited. To that end, the Act sets forth a comprehensive campaign reporting system designed to accomplish this purpose of disclosure.

Duty to File Campaign Statements

A candidate, pursuant to section 82007, is required to file certain specified campaign statements. Section 82007 includes within the definition of a “candidate” any individual who is listed on the ballot, for nomination for or election to any elective office, or who receives a contribution or makes an expenditure with a view to bringing about his or her nomination or election to any elective office.

Section 82013, subdivision (a) defines a “committee” as any person or combination of persons who directly or indirectly receive contributions totaling one thousand dollars (\$1,000) or more in a calendar year. This type of committee is commonly referred to as a “recipient committee.” Under the Act, recipient committees are required to file certain specified campaign statements.

The duty of candidates and committees to file campaign statements includes the filing of pre-election campaign statements, semi-annual campaign statements, and late contribution reports, as outlined below.

Duty to File Pre-Election Campaign Statements

Section 84200.5, subdivision (c) requires all candidates and their controlled committees, for an election that is not being held in June or November of an even-numbered year, to file pre-election campaign statements according to a schedule set forth at section 84200.8. Subdivision (a) of section 84200.8 requires candidates and their controlled committees to file a first pre-election statement no later than forty days before the election, disclosing contributions received and expenditures made up to forty-five days before the election. Subdivision (b) of section 84200.8 requires candidates and their controlled committees to file a second pre-election statement no later than twelve days before the election, disclosing contributions received and expenditures made between forty-five and seventeen days before the election. Subdivision (c) requires that, where there is a run-off election held within 60 days of the qualifying election,

candidates and their controlled committees must file an additional pre-election statement no later than 12 days before the run-off election, covering the period ending 17 days before the run-off election.

Duty to File Late Contribution Reports

Under section 84203, subdivision (a), when a candidate or committee makes or receives a late contribution, the candidate and committee must disclose the contribution in a late contribution report that must be filed within 24 hours of making or receiving the contribution. Section 82036 defines a “late contribution” as a contribution, including a loan, aggregating \$1,000 or more, that is received before an election, but after the closing date of the last pre-election campaign statement. Under section 84200.8, subdivision (c), for a run-off election held within 60 days of the qualifying election, the late contribution period covers the last 16 days before the election.

Duty to File Semi-Annual Campaign Statements

Section 84200, subdivision (a) requires candidates and recipient committees to file two semi-annual campaign statements each year. The first semi-annual campaign statement covers the reporting period January 1 to June 30, and must be filed by July 31. The second semi-annual campaign statement covers the reporting period July 1 to December 31, and must be filed by January 31 of the following year.

SUMMARY OF THE FACTS

INTRODUCTION

The campaign for Mayor of Compton in 2001 was a closely contested race. In the primary election held on April 17, 2001, out of a field of nine candidates, incumbent Mayor Omar Bradley received 4,312 votes, and Respondent Perrodin, a deputy District Attorney and former police officer, received 1,983 votes. Because no candidate received a majority of the votes, a run-off election was held on June 5, 2001, which Respondent Perrodin won by 261 votes.

Respondents were required to file pre-election campaign statements prior to both the primary election and the subsequent run-off election, as well as late contribution reports and semi-annual campaign statements. Respondents filed two pre-election campaign statements prior to the primary election, but failed to file a pre-election campaign statement prior to the run-off election. Respondents also failed to file a required late contribution report and did not file the semi-annual statement, due on July 31, 2001, until December 27, 2001. Thus, information regarding Respondents’ campaign activity between the primary election and the run-off election was not reported until late December of 2001.

COUNT 1

Respondents were required to file a pre-election campaign statement after the primary election and prior to the run-off election, by May 24, 2001, covering the reporting period April 1, 2001 through May 19, 2001. Respondents failed to file this statement. In a pre-election campaign statement Respondents filed on April 9, 2001, prior to the primary election, Respondents reported receiving a total of \$575 in contributions between April 1, 2001 and April 3, 2001.

In the two pre-election campaign statements Respondents' filed prior to the primary election, Respondents reported having received contributions totaling \$17,953. In the semi-annual campaign statement filed on December 27, 2001, Respondents reported that, during the pre-election period prior to the run-off election, they received contributions totaling \$29,180. Thus, nearly two thirds of the total contributions received by Respondents were received in the pre-election period prior to the run-off election, but were not reported until well after the run-off election.

Additionally, during this reporting period, Respondents received a contribution of \$7,500 from Death Row Records, a controversial hip-hop record company. This fact was not disclosed to the public until Respondents filed their semi-annual campaign statement on December 27, 2001.

By failing to file a pre-election campaign statement prior to the run-off election, Respondents violated sections 84200.5 and 84200.8, subdivision (c).

COUNT 2

Respondents were required, under section 84203, to file a late contribution report disclosing, within 24 hours of its receipt, any contribution of \$1,000 or greater received during the late contribution period prior to the run-off election. The late contribution reporting period prior to the run-off election was May 20, 2001 through June 4, 2001. On May 30, 2001, Respondents received a late contribution of \$3,500 from Death Row Records. Respondents failed to disclose this contribution in a late contribution report, in violation of section 84203.

COUNT 3

Respondents were required, under section 84200, subdivision (a), to file a semi-annual campaign statement covering the period May 20, 2001 through June 30, 2001, no later than July 31, 2001. According to the records of the Compton City Clerk's office, Respondents filed a semi-annual campaign statement covering the period April 4, 2001 through June 30, 2001 on December 27, 2001. By failing to timely file a semi-annual campaign statement covering the period May 20, 2001 through June 30, 2001, no later than July 31, 2001, Respondents violated section 84200, subdivision (a) of the Government Code.

ADDITIONAL INFORMATION

Respondents received a total of \$11,000, or just over 23% of their total contributions, from one contributor, Death Row Records, a highly controversial hip-hop record company, but failed to report these contributions until well after the run-off election. Respondent Perrodin acknowledged to Enforcement Division staff that he was aware that he would “take a hit” (in terms of adverse publicity) for accepting the contributions from Death Row Records, but, after consulting with his campaign staff, chose to accept the contributions. Respondents’ failure to timely report these contributions, until after the run-off election, is a serious violation.

In mitigation, Respondent Perrodin stated that his campaign was run entirely by volunteers with no prior political campaigning experience. Respondent Perrodin stated that he also had no prior political experience.

CONCLUSION

This matter consists of three counts, which carry a maximum possible administrative penalty of Fifteen Thousand Dollars (\$15,000). As described above, the circumstances surrounding the violations charged in Counts 1 and 2 are aggravated. Therefore, the imposition of an administrative penalty \$5,000 for these violations is appropriate.

Respondents’ failure to timely file the semi-annual campaign statement by the due date of July 31, 2001 (Count 3) is mitigated by the fact that the information contained in that semi-annual campaign statement indicates that Respondents did not receive any campaign contributions after the run-off election. Had Respondents timely filed the pre-election campaign statement prior to the run-off election, this semi-annual campaign statement would have disclosed no additional contributions. Therefore, the imposition of an administrative penalty of \$1,000 for this violation is appropriate.

The facts of this case, including the aggravating and mitigating factors discussed above, justify imposition of the agreed upon penalty of Eleven Thousand Dollars (\$11,000).